

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

FILED
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

OCT -7 2015

UNITED STATES OF AMERICA)

v.)

CHAD FITZGERALD MCCOY,)

Defendant.)

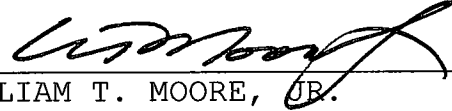
CASE NO. CR413-007)
CLERK [Signature]
U.S. DIST. CT. OF GA.

O R D E R

Before the Court is Defendant Chad Fitzgerald McCoy's Motion for Reconsideration. (Doc. 776.) In the motion, Defendant asks the Court to reconsider its earlier order (Doc. 774) denying his Motion Seeking Sentence Credit (Doc. 773). After careful consideration, the Court finds no reason to disturb its prior order. This Court is unable to order the Bureau of Prisons ("BOP") to award Defendant the credit he seeks. See United States v. Wilson, 503 U.S. 329 (1992) (holding that BOP determines credit issues, not district courts); United States v. Pineyro, 112 F.3d 43, 45 (2d Cir. 1997) (recognizing federal courts lack authority under § 3585 to order BOP to award credit); see also 18 U.S.C. § 3585(b) ("A defendant shall be given credit toward the service of a term of imprisonment for any time he has spent in official detention prior to the date the sentence commences . . . that has not been credited against another

sentence." (emphasis added)). Accordingly, Defendant's motion (Doc. 776) is **DENIED**.

SO ORDERED this 7th day of October 2015.

A handwritten signature in black ink, appearing to read "William T. Moore, Jr.", is written over a horizontal line.

WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA